



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

BERTHELON, Jean-Jacques, et al : Group Art Unit.: 1624

Serial No.: 10/019,683 : Examiner: COLEMAN, Brenda Libby

Filed: May 20, 2004 :

Title: DIHYDROBENZOBENSODIAZEPINS AND THEIR USE FOR TREATING
DYSLIPIDEMIA

REPLY

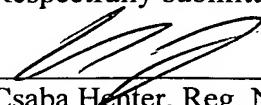
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

In response to the Office Action mailed on September 28, 2006, applicants elect with traverse group II, where formula I is a tricyclic system. As species the first compound of claim 8 is elected, which is 3-(biphenyl-4-yl)-5,6-dihydrothiazolo[2,3-b]-1,3-benzodiazepine. See also example 4. The traversal is on the basis that the PTO has not established that it would pose an undue burden to examine the full scope of the application.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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Attny. Doct. No. **Merck-2358**

Filed: October 23, 2006